IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO : 480 of 2005

Between:

1.M/s.Kamadhenu Par Boiled rice rep by Managing Partner K.Yella Reddi, Sadasivapalli, Manakondoor Mandal,
Karimnagar dist.
2. M/sSai Par Boiled Rcie Mill rep by Managing Partner B.Venkat Reddi,
Mustulapur Village, Timmapur Mandal,
Karimnagar dist.

.... PETITIONERS

AND

1 The Govt of A.P.,Food &Agriculture Department rep by its

Secretary, Secretariat, Hyderabad.
2 The Director of Marketing Govt of A.P. Hyderabad.
3 The Agricultural Market Committee rep by its Secretary
Karimnagar Dist.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to (1) declare that rice is not an agricultural produce and therefore item 2 of Schedule ii of AP (Agricultural Produce and Livestock) Markets Act, 1966 and therefore not in accordance with section 2(1) of the Act and strike down item 2 of Schedule II of the Act; (2) To declare that stopping or otherwise obstructing the movement of rice by the Respondents at the check posts or any other place, demanding and collecting Market Fee from the petitioners is illegal and beyond the scope of rule 75 and not in accordance with Section 12 of the Act by issuing Writ of Mandamus or any other

Writ, direction or appropriate order in the circumstances; and pass such other order or orders.

Counsel for the Petitioner: MR.P.VENKATASWAMY

Counsel for the Respondents: GP FOR AGRICULTURE

The Court made the following :

ORDER: (Per Sri BN.J)

Heard the learned counsel for the petitioners as well as the learned Government Pleader for Agriculture.

In view of the Judgment of the Division Bench of this Court dated 21.12.2004 in W.P.No.18977 of 2002 and batch, this writ petition is liable to be dismissed and it is accordingly dismissed. No costs.

(BILAL NAZKI,J)

Dated 31.01.2005

(V.V.S.RAO,J)

msv.

To

1 The Secretary, Govt of A.P., Food &Agriculture Department Secretariat, Hyderabad.
2 The Director of Marketing Govt of A.P. Hyderabad.
3 The Agricultural Market Committee rep by its Secretary Karimnagar Dist.

4. 2 CCs to the Government Pleader for Agriculture, High Court of A.P.Hyderabad

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